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H. J. RES. 388

[Report No. 99-272]

Making continuing appropriations for the fiscal year 1986, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 1985

Mr. WHITTEN, by direction of the Committee on Appropriations, reported the following joint resolution; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

JOINT RESOLUTION

Making continuing appropriations for the fiscal year 1986, and
for other purposes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the following sums are hereby appropriated, out of any
4 money in the Treasury not otherwise appropriated, and out of
5 applicable corporate or other revenues, receipts, and funds,
6 for the several departments, agencies, corporations, and other
7 organizational units of the Government for the fiscal year
8 1986, and for other purposes, namely:

1 SEC. 101. (a)(1) Such amounts as may be necessary for
2 projects or activities, not otherwise specifically provided for
3 in this joint resolution, for which appropriations, funds, or
4 other authority would be available in the following
5 appropriation Acts:

6 Agriculture, Rural Development, and Related
7 Agencies Appropriation Act, 1986;

8 Departments of Commerce, Justice, and State,
9 the Judiciary, and Related Agencies Appropriation
10 Act, 1986;

11 District of Columbia Appropriation Act, 1986;

12 Energy and Water Development Appropriation
13 Act, 1986;

14 Department of Housing and Urban Develop-
15 ment—Independent Agencies Appropriation Act, 1986;

16 Department of the Interior and Related Agencies
17 Appropriation Act, 1986;

18 Legislative Branch Appropriation Act, 1986;

19 Department of Transportation and Related Agen-
20 cies Appropriation Act, 1986; and

21 Treasury, Postal Service, and General Govern-
22 ment Appropriation Act, 1986.

23 (2) Appropriations made by this subsection shall be
24 available to the extent and in the manner which would be
25 provided by the pertinent appropriation Act.

1 (3) Whenever the amount which would be made avail-
2 able or the authority which would be granted under an Act
3 listed in this subsection as passed by the House as of October
4 1, 1985, is different from that which would be available or
5 granted under such Act as passed by the Senate as of Octo-
6 ber 1, 1985, the pertinent project or activity shall be contin-
7 ued under the lesser amount or the more restrictive author-
8 ity: *Provided*, That where an item is included in only one
9 version of an Act as passed by both Houses as of October 1,
10 1985, the pertinent project or activity shall be continued
11 under the appropriation, fund, or authority granted by the
12 one House, but at a rate for operations not exceeding the
13 current rate or the rate permitted by the action of the one
14 House, whichever is lower, and under the authority and con-
15 ditions provided in applicable appropriation Acts for the fiscal
16 year 1985.

17 (4) Whenever an Act listed in this subsection has been
18 passed by only the House as of October 1, 1985, the perti-
19 nent project or activity shall be continued under the appro-
20 priation, fund, or authority granted by the House, at a rate
21 for operations not exceeding the current rate or the rate per-
22 mitted by the action of the House, whichever is lower, and
23 under the authority and conditions provided in applicable
24 appropriation Acts for the fiscal year 1985.

1 (5) No provision which is included in an appropriation
2 Act enumerated in this subsection but which was not includ-
3 ed in the applicable appropriation Act of 1985, and which by
4 its terms is applicable to more than one appropriation, fund,
5 or authority shall be applicable to any appropriation, fund, or
6 authority provided in the joint resolution unless such provi-
7 sion shall have been included in identical form in such bill as
8 enacted by both the House and the Senate.

9 (6) No appropriation or fund made available or authority
10 granted pursuant to this subsection shall be used to initiate or
11 resume any project or activity for which appropriations,
12 funds, or other authority were not available during the fiscal
13 year 1985.

14 (b)(1) Such amounts as may be necessary for projects or
15 activities, not otherwise provided for in this joint resolution,
16 which were conducted in the fiscal year 1985, under the cur-
17 rent terms and conditions and at a rate for operations not in
18 excess of the current rate, for which provision was made in
19 the following appropriation Acts:

20 Foreign Assistance and Related Programs Appro-
21 priation Act, 1985;

22 Military Construction Appropriation Act, 1985;
23 and

24 Departments of Labor, Health and Human Serv-
25 ices, and Education, and Related Agencies Appropria-

1 tion Act, 1985 and section 101(k) of Public Law 98-
2 473.

3 (2) No appropriation or fund made available or authority
4 granted pursuant to this subsection shall be used to initiate or
5 resume any project or activity for which appropriations,
6 funds, or other authority were not available during the fiscal
7 year 1985.

8 (c) Such amounts as may be necessary for continuing
9 activities, not otherwise specifically provided for in this joint
10 resolution, which were conducted in the fiscal year 1985, for
11 which provision was made in the Department of Defense Ap-
12 propriation Act, 1985, under the current terms and condi-
13 tions and at a rate for operations not in excess of the current
14 rate: *Provided*, That no appropriation or funds made avail-
15 able or authority granted pursuant to this subsection shall be
16 used for new production of items not funded for production in
17 fiscal year 1985 or prior years, for the increase in production
18 rates above those sustained with fiscal year 1985 funds or to
19 initiate, resume or continue any project, activity, operation or
20 organization which are defined as any project, subproject, ac-
21 tivity, budget activity, program element, and subprogram
22 within a program element and for investment items are fur-
23 ther defined as a P-1 line item in a budget activity within an
24 appropriation account and an R-1 line item which includes a
25 program element and subprogram element within an appro-

1 priation account, for which appropriations, funds, or other au-
2 thority were not available during the fiscal year 1985: *Pro-*
3 *vided further*, That no appropriation or funds made available
4 or authority granted pursuant to this subsection shall be used
5 to initiate multi-year procurements utilizing advance procure-
6 ment funding for economic order quantity procurement unless
7 specifically appropriated later: *Provided further*, That the ap-
8 propriations or funds made available or authority granted
9 pursuant to this subsection for procurement of MX missiles
10 shall be in accordance with and subject to all the limitations,
11 restrictions, and conditions set forth in the Department of
12 Defense Authorization Act, 1986 (S. 1160) conference agree-
13 ment and provided for in the conference report (H. Rept. 99-
14 235) filed in the House of Representatives on July 29, 1985.

15 SEC. 102. Unless otherwise provided for in this joint
16 resolution or in the applicable appropriation Act, appropria-
17 tions and funds made available and authority granted pursu-
18 ant to this joint resolution shall be available from October 1,
19 1985, and shall remain available until (a) enactment into law
20 of an appropriation for any project or activity provided for in
21 this joint resolution, or (b) enactment of the applicable appro-
22 priation Act by both Houses without any provision for such
23 project or activity, or (c) November 14, 1985, whichever first
24 occurs.

1 SEC. 103. Appropriations made and authority granted
2 pursuant to this joint resolution shall cover all obligations or
3 expenditures incurred for any project or activity during the
4 period for which funds or authority for such project or
5 activity are available under this joint resolution.

6 SEC. 104. Expenditures made pursuant to this joint res-
7 olution shall be charged to the applicable appropriation, fund,
8 or authorization whenever a bill in which such applicable ap-
9 propriation, fund, or authorization is contained is enacted into
10 law.

11 SEC. 105. No provision in any appropriation Act for the
12 fiscal year 1986 referred to in section 101 of this joint resolu-
13 tion that makes the availability of any appropriation provided
14 therein dependent upon the enactment of additional authoriz-
15 ing or other legislation shall be effective before the date set
16 forth in section 102(c) of this joint resolution.

17 SEC. 106. Appropriations and funds made available or
18 authority granted pursuant to this joint resolution may be
19 used without regard to the time limitations for submission
20 and approval of apportionments set forth in section 1513 of
21 title 31, United States Code, but nothing herein shall be con-
22 strued to waive any other provision of law governing the
23 apportionment of funds.